

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

RICHARD DAVIS,

Debtor.

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**Case No. 07-33986-H3-7
(Chapter 7)**

**TRUSTEE'S APPLICATION TO EMPLOY
PORTER & HEDGES, L.L.P. AS TRUSTEE'S COUNSEL**

**To The Honorable Letitia Z. Clark,
United States Bankruptcy Judge:**

William G. West, chapter 7 trustee for the estate of Richard Davis, files this Application to Employ Porter & Hedges, L.L.P. ("P&H") as counsel for the Trustee.

Application to Employ Porter & Hedges, L.L.P.

1. The Trustee desires to employ P&H to advise the Trustee regarding all matters related to this case. The employment of counsel is required at this time to investigate transfers made by the debtor prior to the petition date, to analyze a series of corporate shells utilized by the debtor and his daughter and to facilitate the analysis, recovery and liquidation of estate assets.

2. P&H maintains offices at 1000 Main Street, 36th Floor, Houston, Texas 77002. P&H's main telephone number is (713) 226-6000. P&H's fax number is (713) 228-1331.

3. The Trustee has selected P&H because its members have extensive experience in matters relating to bankruptcy law and chapter 7 trustee representation. The Trustee believes that P&H can provide the Trustee with the required legal expertise to allow the Trustee to handle this case effectively and prudently.

4. The Trustee wishes to designate David R. Jones of P&H as attorney-in-charge. Mr. Jones is admitted to practice before all courts in the Southern District of Texas. The Trustee

has selected Mr. Jones because of his experience and specialization in insolvency law, commercial litigation and trustee representation. The Trustee believes that Mr. Jones and P&H are well qualified to represent the Trustee.

5. P&H will render professional services including, but not limited to:

- Assisting the Trustee to recover and liquidate estate assets;
- Assisting the Trustee in analyzing potential claims owned by the estate;
- Advising the Trustee with respect to the rights and remedies of the estate's creditors and other parties in interest;
- Conducting appropriate examinations of witnesses, claimants and other parties in interest should the Trustee determine that the estate owns other valuable assets, claims or rights;
- Preparing all appropriate pleadings required to be filed in the case;
- Representing the Trustee in all proceedings before the Court and in any other judicial or administrative proceeding in which the rights of the Trustee or the Estate may be affected; and,
- Performing any other legal services which may be appropriate in connection with the liquidation of the estate.

6. P&H has not represented the debtor prior to or during this bankruptcy case. P&H currently represents the Trustee in other cases.

7. P&H has no other connection with the debtor, his creditors, any other party-in-interest, their respective attorneys and accountants, the United States Trustee or any person employed in the office of the United States Trustee and is a "disinterested person" within the definition of Section 101(14) of the Bankruptcy Code. *See Attached Affidavit.*

8. Subject to Bankruptcy Court approval, the Trustee desires to compensate P&H on an hourly fee basis in accordance with its customary billing practices. P&H has not received any funds from the debtor, the Trustee or any other party in this case. In the attached affidavit, P&H has identified the amount and source of compensation to be paid to P&H for services rendered in

connection with the representation of the Trustee in this case. P&H will submit fee applications in accordance with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure and the rules of this Court.

Accordingly, the Trustee requests the Court to approve the retention of P&H, with David R. Jones designated as attorney-in-charge, and for such other relief as is just.

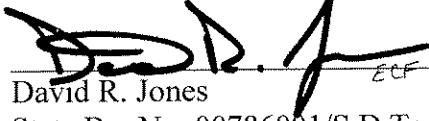
Dated: September 7, 2007.

Respectfully submitted,

By: William G. West, Trustee
William G. West
12345 Jones Road, Suite 120
Houston, Texas 77070
(281) 807-7811 (office)
(281) 807-7822 (fax)
Chapter 7 Trustee

*w/permission
DET*

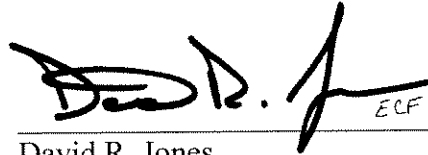
Porter & Hedges, L.L.P.

By: 
David R. Jones
State Bar No. 00786001/S.D.Tex. No. 16082
Joshua W. Wolfshohl
State Bar No. 24038592
1000 Main Street, 36th Floor
Houston, Texas 77002
(713) 226-6000
(713) 228-1331 (fax)
Proposed Attorneys for the Trustee

ECF

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to Bankr. R. 2014, this instrument was served by United States first class mail, with proper postage affixed, addressed to the United States Trustee, 515 Rusk Avenue, Suite 3516, Houston, Texas 77002 and William G. West, 12345 Jones Road, Suite 120, Houston, Texas 77070 and by electronic transmission to all registered ECF users appearing in the case on September 7, 2007.

A handwritten signature in black ink, appearing to read "D.R. Jones", with the letters "ECF" written in smaller text to the right of the signature.

David R. Jones

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

RICHARD DAVIS,

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**Case No. 07-33986-H3-7
(Chapter 7)**

AFFIDAVIT OF PROPOSED COUNSEL

Porter & Hedges, L.L.P. ("P&H"), proposed counsel for William G. West, chapter 7 trustee for the estate of Richard Davis, (the "Trustee") states that to the best of its knowledge, P&H represents no interest adverse to the estates in the matters upon which this firm has been or is to be engaged by the Trustee; that P&H's employment has been and would be in the best interest of this estates; and that the attorneys in this firm are disinterested persons as defined under 11 U.S.C. § 101(14).

In an overabundance of caution, P&H states that P&H represents the Trustee in other matters. P&H does not believe that any conflict exists which precludes its unbiased representation of Mr. West as chapter 7 trustee in this case.

Except as set forth herein and to the best of its knowledge, P&H has no other connections with the debtor, his creditors, any other party-in-interest, their respective attorneys and accountants, the United States Trustee or any person employed in the office of the United States Trustee.

Legal representation undertaken by P&H includes (a) assisting the Trustee to recover and liquidate estate assets; (b) assisting the Trustee in analyzing potential claims owned by the estate; (c) advising the Trustee with respect to the rights and remedies of the estate's creditors and other parties in interest; (d) conducting appropriate examinations of witnesses, claimants and other parties in interest should the Trustee determine that the estate owns other valuable assets, claims or rights; (e) preparing all appropriate pleadings required to be filed in the case; (f) representing the Trustee in all proceedings before the Court and in any other judicial or administrative proceeding in which the rights of the Trustee or the estate may be affected; and (g) performing any other legal services which may be appropriate in connection with the liquidation of the estate.

Subject to Bankruptcy Court approval, the Trustee has agreed to pay from the estate to P&H the reasonable hourly fees for such representation and for expenses incurred during the representation. Attached hereto is a schedule of P&H's customary hourly rates.

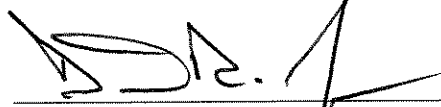
To date, P&H has not received any funds from the Trustee, the debtor or from the estate in connection with this proposed representation of the Trustee in this chapter 7 case. To the extent the reasonable fees and the expenses owing to P&H are approved, the Trustee has agreed to pay P&H such amounts from funds of the estate, subject to final approval by the Bankruptcy Court.

P&H has not promised, either directly or indirectly to share any compensation with any other person nor does P&H have any agreement for payment of attorney's fees and expenses other than as stated herein.

Dated: September 7, 2007.

Porter & Hedges, L.L.P.

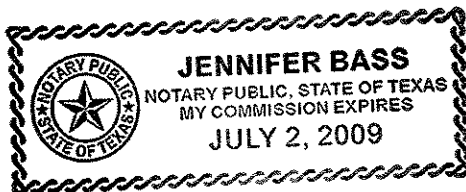
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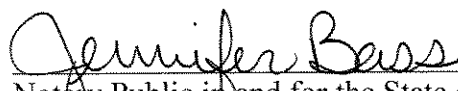


David R. Jones
State Bar No. 00786001/S.D. Tex. 16082
1000 Main Street, 36th Floor
Houston, Texas 77002
(713) 226-6000
(713) 228-1331 (fax)

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

SWORN TO AND SUBSCRIBED BEFORE ME, a notary public in the State of Texas, County of Harris, on this the 7th day of September, 2007 by David R. Jones, to certify which, witness my hand and seal of office.




Notary Public in and for the State of Texas

PORTER & HEDGES, L.L.P.
2007 Timekeeper Billing Rates

<u>Timekeeper</u>	<u>Billing Rates</u>
David R. Jones	\$425 (Reduced Rate)
Joshua W. Wolfshohl	\$255